

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MAY 20 2010

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

RAHEEM Z. LANGHORNE,
Petitioner,

v.

WARDEN HARRIS DIGGS, JR.,
Respondent.

)
)
)
)
)
)
)

Civil Action No. 7:09CV00421

ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby

ADJUDGED AND ORDERED

that Respondent's Motion to Dismiss (Dkt. No.10) is **GRANTED**. Accordingly, Petitioner's 28 U.S.C. § 2254 Petition (Dkt. No.1) is **DENIED**. The Clerk of Court is directed to strike the matter from the court's active docket and to send a copy of this final order and accompanying memorandum opinion to Petitioner and counsel of record for the Respondent.

ENTER: This 30th day of May, 2010.

[Signature]
Senior United States District Judge